

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

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CHAD PRIEST,

Petitioner,

Case No. 1:12CV840

v.

Hon. Robert J. Jonker

COMMISSIONER OF SOCIAL SECURITY,

Respondent.

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**ORDER**  
**APPROVING AND ADOPTING REPORT AND RECOMMENDATION**

The court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties on February 10, 2014,. No objections have been filed pursuant to 28 U.S.C. § 636(b)(1)(C).

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed February 10, 2014, is approved and adopted as the opinion of the court.

**IT IS FURTHER ORDERED** that the decision of the Commissioner is **REVERSED** and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g). On remand the Commissioner shall clarify the operative disability onset date, clarify whether the doctrine of administrative *res judicata* applies to the October 17, 2007, initial denial of benefits, and then re-evaluate plaintiff's claims as necessary light of those parameters.

/s/ Robert J. Jonker  
ROBERT J. JONKER  
UNITED STATES DISTRICT JUDGE

DATED: February 28, 2014.